

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the magistrate judge's report is hereby **ADOPTED** and the recommendation is **ACCEPTED**. The court **EXPRESSLY FINDS** that no genuine issues of material fact remain and the defendants are entitled to judgment as a matter of law. Accordingly, defendants Marlah Mardis, M.D., and Wexford Health Sources, Inc.'s motion for summary

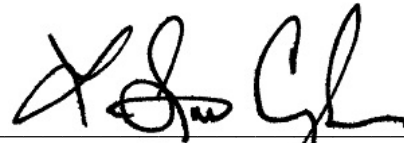
judgment (doc. 7) is due to be granted and those claims are due to be dismissed with prejudice.

The plaintiff's Eighth Amendment claim against Nurse Dubose is due to be dismissed without prejudice.

The plaintiff's state law claims are due to be remanded to the state court from which they were removed.

A Final Judgment will be entered.

DONE AND ORDERED ON MAY 15, 2019.

A handwritten signature in black ink, appearing to read 'L. Scott Coogler', is written over a horizontal line.

L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE

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